

CORYNNE MCSHERRY (221504)
corynne@eff.org
MATTHEW ZIMMERMAN (212423)
mattz@eff.org
ELECTRONIC FRONTIER FOUNDATION
815 Eddy Street
San Francisco, CA 94109
Telephone: (415) 436-9333
Facsimile: (415) 436-9993

DAVID HALPERIN (*Admitted Pro Hac Vice*)
davidhalperindc@gmail.com
3333 14th Street NW, Suite 205
Washington, DC 20010

ANDREW P. BRIDGES (CSB No. 122761)
abridges@fenwick.com
JAMES J. VARELLAS III (CSB No. 253633)
jvarellas@fenwick.com
KATHLEEN LU (CSB No. 267032)
klu@fenwick.com
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: 415.875.2300
Facsimile: 415.281.1350

Attorneys for Plaintiff
PUBLIC.RESOURCE.ORG

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PUBLIC.RESOURCE.ORG,

Plaintiff,

v.

SHEET METAL AND AIR CONDITIONING
CONTRACTORS' NATIONAL
ASSOCIATION, INC.,

Defendant.

Case No.: 3:13-cv-00815 SC

**DECLARATION OF KATHLEEN LU
IN SUPPORT OF STIPULATION AND
[PROPOSED] ORDER TO EXTEND
TIME FOR SETTLEMENT PURPOSES**

1 I, Kathleen Lu, declare pursuant to 28 U.S.C. § 1746 as follows:

2 1. I am an attorney licensed to practice in California and before this Court. I am an
3 associate with Fenwick & West LLP, and counsel for Plaintiff Public.Resource.Org (“Public
4 Resource”) in this matter. I have personal knowledge of the matters set forth below, and if called
5 to testify, I could and would competently do so.

6 2. On May 29, 2013, Public Resource filed its motion for default judgment (Dkt.
7 No. 23), noticing a hearing date of July 19th, 2013.

8 3. The Parties stipulated to, and the Court granted, an extension of time to June 27,
9 2013, for Public Resource to file its reply and any supporting papers.

10 4. Since then, the Parties have discussed settlement and believe a settlement is
11 possible. The Parties also believe that additional time would greatly aid the Parties in negotiating
12 and finalizing any settlement. The Parties believe that an extension of time for Public Resource’s
13 reply and any supporting papers to July 11, 2013 and re-calendar of the hearing date to
14 July 26, 2013, or a later date convenient for the Court, will provide the parties time to finalize
15 such a settlement.

16 5. This is the second modification of time request in this case, and will not have any
17 effect on the schedule for the case except for the change in hearing date.

18 I declare under penalty of perjury under the laws of United States that the foregoing is true
19 and correct.

20 Executed this 24th day of June, 2013 at San Francisco, California.

21
22 /s/ Kathleen Lu
23 Kathleen Lu
24
25
26
27
28